

SOSA V. LANTZ, 09 CV 869 (JBA) – ELECTRONIC ORDER GRANTING DEFENDANT’S MOTION FOR PROTECTIVE ORDER OR, IN THE ALTERNATIVE, AN ORDER LIMITING DISCOVERY

5/18/11 – The factual and procedural history behind this litigation is set forth in the three published decisions of U.S. District Judge Janet Bond Arterton in this case. See 660 F. Supp.2d 283 (D. Conn. 2009); 2010 WL 122649 (D. Conn. Jan. 5, 2010); 2010 WL 3925268 (D. Conn. Sept. 30, 2010).

After granting a previous motion for extension of time for the completion of discovery (Dkts. ##28-29), Judge Arterton on October 13, 2010 granted defendant’s last motion (Dkt. #31), closing discovery on April 4, 2011, with the warning that “No further extensions will be granted.” (Dkt. #33). Defendant took plaintiff’s deposition on March 22, 2011. (Dkts. ##35-36; see Dkt. #38, Brief at 2). On March 25, 2011, plaintiff prepared extensive interrogatories, requests for production of documents, and requests for admission, which were mailed on Friday, April 1, 2011, and arrived in defense counsel’s office on Monday, April 4, 2011, the date of the discovery deadline. (Dkt. #38, Brief at 2 & Exhs. A-D).

One week later, defendant filed the pending Motion for Protective Order or, in the Alternative, an Order Limiting Discovery (Dkt. #38), which was referred to this Magistrate Judge yesterday. (Dkt. #41). Despite being “an experienced litigator” in the federal and state courts of Connecticut (Dkt. #38, Brief at 2 & Exhs. E-F), plaintiff has failed to file a timely brief in opposition to defendant’s motion. In addition, defendant is correct that plaintiff’s “voluminous discovery demand[s]” are untimely and in violation of Judge Arterton’s scheduling order. (Dkt. #38, Brief at 3-6).

Judge Arterton previously set May 4, 2011 as the deadline for filing all dispositive motions, similarly with no further extensions. (Dkt. #33). In this motion, defendant further seeks an additional thirty days to file a summary judgment motion. (Dkt. #38, Brief at 8). Defense counsel’s ability to file his summary judgment motion was not contingent upon providing additional discovery to plaintiff. Nonetheless, defendant is permitted until June 17, 2011 to file her Motion for Summary Judgment, **with no further extensions**.